

SECOND DECLARATION OF REEVE TYNDALL
Pursuant to 28 U.S.C. § 1746

I, Reeve Tyndall, hereby state that I have personal knowledge of the facts set forth below and, if called to testify, I could and would testify as follows:

1. I am a United States citizen. I work as a Senior Investigator for the Federal Trade Commission (“FTC”) in the Bureau of Consumer Protection’s Division of Marketing Practices. The Division of Marketing Practices investigates persons and entities that may be violating the FTC Act and other laws enforced by the FTC.
2. The FTC received documents from GoDaddy and Domains By Proxy pursuant to a Civil Investigative Demand. GoDaddy is a website registrar, and Domains By Proxy provides privacy services for domain registrations. According to the documents, Mrs. Rozenfeld was the registrant, technical, administrative, and billing contact for the “fbasupport” account. She was also the billing contact, and her credit card was used to register the domains passivescaling.com, 3plautomation.com, 1hrdelivery.com, and hourlyrelief.com.
3. On June 6, 2024, Anthony Sodono, III, the court-appointed temporary receiver, emailed the FTC that Ms. Rozenfeld was employed at Daily Distro LLC and received approximately \$50,000 per year in salary. A true and correct copy of this email is **Attachment A**.
4. The Court Appointed Receiver provided the FTC with access to the Google Suite for the Defendants. The Google Suite contained an email that Consumer Ian Plocher sent info@passivescaling.com. The subject line is “Refund Request for 100k Bundle,” and the email is addressed “Dear Passive Scaling Inc. / Amanda Peremen.” A true and correct copy of this email is **Attachment B**.
5. On or about August 17, 2023, Kenny Craig filed a motion for default judgement in the matter of Kenny Craig v. Passive Scaling LLC (HUD-L-002343-23). A true and correct copy of

this motion, along with a proof of service on an ‘Amanda Doe’ at [REDACTED],
Edgewater, NJ [REDACTED] is **Attachment C**.

6. On or about April 29, 2024, Matthew Genes filed a motion for default judgement in the
matter of Matthew Genes v. Passive Scaling, Inc. (CAM-L-000465-24). A true and correct copy
of this motion, along with a proof of service on an adult female at [REDACTED],
Edgewater, NJ [REDACTED] is **Attachment D**.

7. On or about March 23, 2024, Manny Bayo, a process server for Matthew Genes,
attempted to serve Passive Scaling, Inc. at [REDACTED] Edgewater, NJ [REDACTED]. The
process server recorded two videos of the attempt. I viewed the videos and pulled the below
screenshots from the video. Also below are photos of Mrs. Rozenfeld on social media.

Photos of adult female who identified herself as ‘Samantha’:



Photos from Amanda Rozenfeld’s Instagram Account:



8. I distributed the TRO to financial institutions that held funds for Mr. Rozenfeld and the Corporate Defendants and tracked their responses. As of June 26, 2024, my records indicate there is approximately \$195,530.96 in cash and marketable securities frozen. Of this, approximately \$56,301.51 is held by Mr. Rozenfeld individually or jointly with his wife.

9. The FTC received documents from Stripe pursuant to a Civil Investigative Demand. According to the documents, Mrs. Rozenfeld opened two merchant account with Stripe. One account under the name FBASUPPORT LLC was opened with the description "We help amazon sellers grow their sales." The other account was opened under the name Daily Distro LLC with the description "We are a wholesaler company that specializes in amazon.com sellers. Our clients are USA based businesses."

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 27, 2024.

/s/ Reeve Tyndall

Washington, D.C.

Reeve Tyndall

From: [Anthony Sodono](#)
To: [Michele M. Dudas](#); [Sari B. Placona](#)
Cc: [Robbins, Colleen B.](#); [Kern, Frances](#); [Kaplan, Richard](#); [Broome, Tyler](#)
Subject: accounts -- want to get to you now...I will double check the numbers with my notes shortly
Date: Thursday, June 6, 2024 11:16:46 AM

Joint with spouse /Amanda Wells Fargo [REDACTED] 334 works for Daily Distro 50k salary annual

Steven only Wells [REDACTED] 668

3pl logistics Flagstar [REDACTED] 2870

Sales support Flagstar [REDACTED] 2862

Sales support Chase [REDACTED] 372

Passive scaling Signature/flagstar bank [REDACTED] 8287

One Hour Signature/Flagstar [REDACTED] 2854

FBA Support Signature/Flagstar [REDACTED] 2897

1hour chase [REDACTED] 0070

Sales support [REDACTED] 2862

Fba machine TD Bank [REDACTED] 8800

Passive Scaling closed accounts –he will send me the acct numbers

Anthony Sodono, III, Member/Partner
Chair, Bankruptcy & Restructuring Group
McManimon, Scotland & Baumann, LLC
75 Livingston Avenue | 2nd Floor | Roseland, NJ 07068
Direct Dial: 973-721-5038
Mobile: 732-236-9268
Email: ASodono@MSBNJ.COM
Website

Connect with MS&B on [LinkedIn](#) | [Twitter](#) | [Instagram](#)

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy, or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail or contact the sender at McManimon, Scotland & Baumann, LLC by phone at (973) 622-1800 and delete the message. Thank you very much.

Refund Request For 100k Bundle

Ian plocher
To: info@passivescaling.com Tatiana S

Monday, December 18, 2023 at 12:08:54 PM Pacific Standard Time

Dear Passive Scaling Inc./Amanda Peremen

I am writing to formally request a refund for the Amazon store services provided by Passive Scaling Inc., as per the terms of our E-Commerce Consulting Agreement dated August 27, 2021. This request is based on the following critical issues:

1. Failure to Recoup Initial Store Costs:

As stipulated in the agreement, after an eighteen-month period, I am entitled to request a refund if I have not made back the initial store costs.

2. Poor Management and Neglect of Stores:

Given these circumstances and our adherence to the agreement terms, I am exercising my right to request a refund as outlined in the "Refund Policy" section of our E-Commerce Consulting Agreement.

I am requesting a refund of the initial Fee of \$100,000.00, adjusted for any net profit and cash back received during the refund period, in accordance with the agreement terms.

I trust that Passive Scaling Inc. will honor its commitments as per our agreement and process this refund request promptly. Please provide a written acknowledgment of this request and the anticipated timeline for the refund process.

Thank you for your attention to this matter. I look forward to your prompt response.

Sincerely,

Ian Plocher & Adam Stout

Attachments:

Amazon & Walmart Bundle (1).pdf 894k

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, active credit card number or military status.

Name Kenny Craig ☐ Check if new address/phone number
NJ Attorney ID Number _____
Address [REDACTED]
Lansing, MI
Email Address [REDACTED]
Daytime Telephone [REDACTED] ext. _____

Kenny Craig _____, Plaintiff(s)
v.
Passive Scaling, LLC _____, Defendant(s)

Superior Court of New Jersey
Law Division
Hudson _____ County
Docket Number: HUD-L-002343-23

Certification of Proof

1. Kenny Craig, being duly sworn upon his/her oath deposes and says:
2. I am fully familiar with all of the facts and all of the proceedings in the above matter.
3. The defendant/debtor is not a minor and is not a mentally incapacitated person.
4. The defendant/debtor's address is:
[REDACTED] Edgewater, New Jersey [REDACTED], and I
am aware that the defendant's/debtor's address or business location is at this location
because:
Defendant was served court papers via paid civil process service at the address. Process served was
signed and notarized as proof of service.
5. I am aware that the defendant(s) / debtor(s) (for individuals only) in the above matter
☐ is / ☐ is not on active duty in the military service of the United States at the present time
because: (state why and provide the source of your knowledge)

6. The defendant(s)/debtor(s) owes the total amount of \$ \$30,000. This amount is based upon the following, after giving the defendant(s) all the credits due:

a) Principal amount due \$ \$45,000, pre-judgment interest (where applicable) in the amount of \$ _____, the date of the defendant's breach was May 24, 2023, and the document of obligation that provides for the rate of pre-judgment interest is attached.

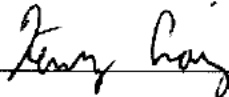
b) Court costs in the amount of \$ \$250.00.

7. This is not a repossession case.

I have attached/ the documentation to support the entry of this default judgment.

I certify that the foregoing statements made by me are true. If any of the foregoing statements made by me are false, I am subject to punishment.

Date: 8/17/2023

Signature: 

Print Name: Kenny Craig

SUPERIOR COURT OF NEW JERSEY
HUDSON COUNTY

KENNY CRAIG,

Plaintiff(s) – Petitioner(s)

V.

DOCKET NO.: HUD-L-002343-23

PASSIVE SCALING, LLC,

Defendant(s) – Respondent(s)

STATE OF NEW JERSEY
COUNTY OF ESSEX ss.:

Anabela Pinto, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of 18 years and not a party to this action.

On 07/06/2023 at 8:25 PM, I served a true copy of a CIVIL ACTION SUMMONS, COMPLAINT, FORM A ATTACHMENT upon PASSIVE SCALING, LLC C/O BRATISLAV ROZENFELD at [REDACTED] EDGEWATER, NEW JERSEY [REDACTED] in the manner indicated below:

Corporation [X] By delivering a true copy of each to AMANDA DOE (REFUSED TO PROVIDE LAST NAME) personally. Deponent knew said corporation served to be the corporation described as the named recipient and knew said individual to be the AUTHORIZED REPRESENTATIVE / WIFE thereof, and an authorized person to accept service of process.

Approximate Description of Receipt	Female Sex	White Skin	Black Hair Color	30 Age	5'6" Height	120 lbs Weight	Brown Eyes
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Servers notes: When I arrived, she called Mr. Rosenfield on the phone and over the speaker phone he stated that she was authorized to accept.

Sworn to before me this
11 day of July, 2023
[Signature]
Notary Public

[Signature]
Anabela Pinto
P.O. Box 25066
Newark, NJ 07102
800-637-1805

Alexander Vaya, Esq.
Notary Public
State of New Jersey
New Jersey Attorney ID 603672614

SUMMONS

Attorney(s) Pro Se _____
Office Address _____
Town, State, Zip Code Lansing, MI _____
Telephone Number _____
Attorney(s) for Plaintiff Pro Se _____
Kenny Craig

**Superior Court of
New Jersey**

Hudson ☒ County
Civil Division

Docket No: HUD-L-002343-23

Plaintiff(s)

vs.

Passive Scaling, LLC

Defendant(s)

**CIVIL ACTION
SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at <http://www.judiciary.nj.gov>.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at <http://www.judiciary.nj.gov>.

E. Junior Maldonado
Clerk of the Superior Court

DATED: 06/30/2023

Name of Defendant to Be Served: Passive Scaling, LLC

Address of Defendant to Be Served: _____ & 2011 8th, Street Suite 102 in North Bergen, NJ 07020

Form A

Plaintiff or Filing Attorney Information:

Name Kenny Craig

NJ Attorney ID Number Pro se

Address

Lansing, MI [REDACTED]

Email Address [REDACTED]

Telephone Number [REDACTED] ext. [REDACTED]

Superior Court of New Jersey

Division Hudson ☒ County

Part

Kenny Craig

Plaintiff,

V.

Passive Scaling

Defendant(s).

Docket No:

(to be filled in by the court)

Civil Action

Complaint

Plaintiff, Kenny Craig _____, residing at: Lansing, MI _____,

City of _____, County of _____, State of New Jersey,

complaining of defendant, states as follows:

1. On November 12, 2021, Passive Scaling, Defendant:
(Summarize what happened that resulted in your claim against the defendant. Use additional pages if necessary.)
Plaintiff signed a contract with the defendant for Consultant Services to create and operate 2 automated stores on Amazon.com. More specifically the defendant agreed to the following:
1) Maintain plaintiff's stores, including configuring the Amazon storefronts and configuring the front and back end systems necessary to manage the Stores; 2) Review, research, source, select, and list products for the plaintiff's stores; 3) Respond to customers phone and email inquiries in support of plaintiff's stores and shall (please see attached)

The defendant in this action resides at:

North Bergen _____, in the county of _____

Hudson ▼ , State of New Jersey.

2. Plaintiff is entitled to relief from defendant under the above facts.
3. The harm that occurred as a result of defendant's acts include: (list each item of damage and injury)
 1. Plaintiff has suffered an initial loss of \$45,300 in investment and inventory cost plus additional fees associated with starting two separate businesses with state and federal agencies.

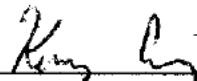
Form A

2. Plaintiff has suffered significant mental and emotional harm as the funds invested was his complete savings and now struggling financially to simply survive. Plaintiff will have to dissolve both business as he has no more money to keep the stores operational. The defendant has failed to properly operate the stores as promised resulting in extreme loss for the plaintiff.
3. Plaintiff has been relieved of all his life savings because of recruitment and agreement by the defendant and defendant's third party representative with no means to recoup any funds other than this action. The defendant has and is continuing to engage in predatory practices harming those who enter in agreement with defendant.

Wherefore, plaintiff requests judgment against defendant for damages, together with attorney's fees, if applicable, costs of suit, and any other relief as the court may deem proper.

06/27/2023

Dated


Signature Kenny Craig

I certify that the dispute about which I am suing is not the subject of any other action pending in any other court or a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my knowledge and belief no other action or arbitration proceeding is contemplated. Further, other than the parties set forth in this complaint, I know of no other parties that should be made a part of this lawsuit. In addition, I recognize my continuing obligation to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this original certification.

06/27/2023

Dated


Signature Kenny Craig

OPTIONAL: If you would like to have a judge decide your case, do not include the following paragraph in your complaint. If you would prefer to have a jury to decide your case, please sign your name after the following paragraph.

JURY DEMAND

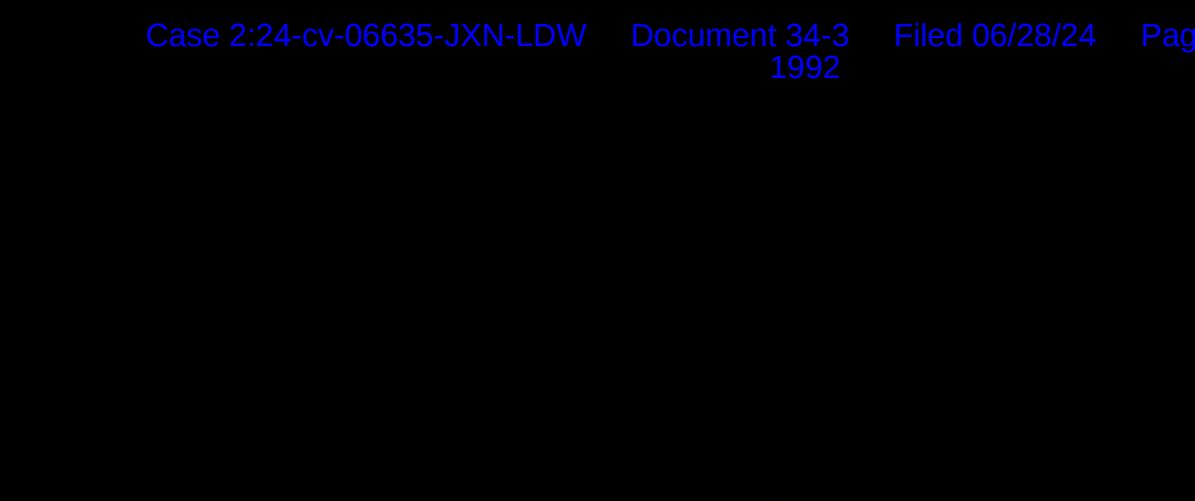
The plaintiff demands trial by a jury on all of the triable issues of this complaint, pursuant to New Jersey Court Rules 1:8-2(b) and 4:35-1(a).

Dated

Signature

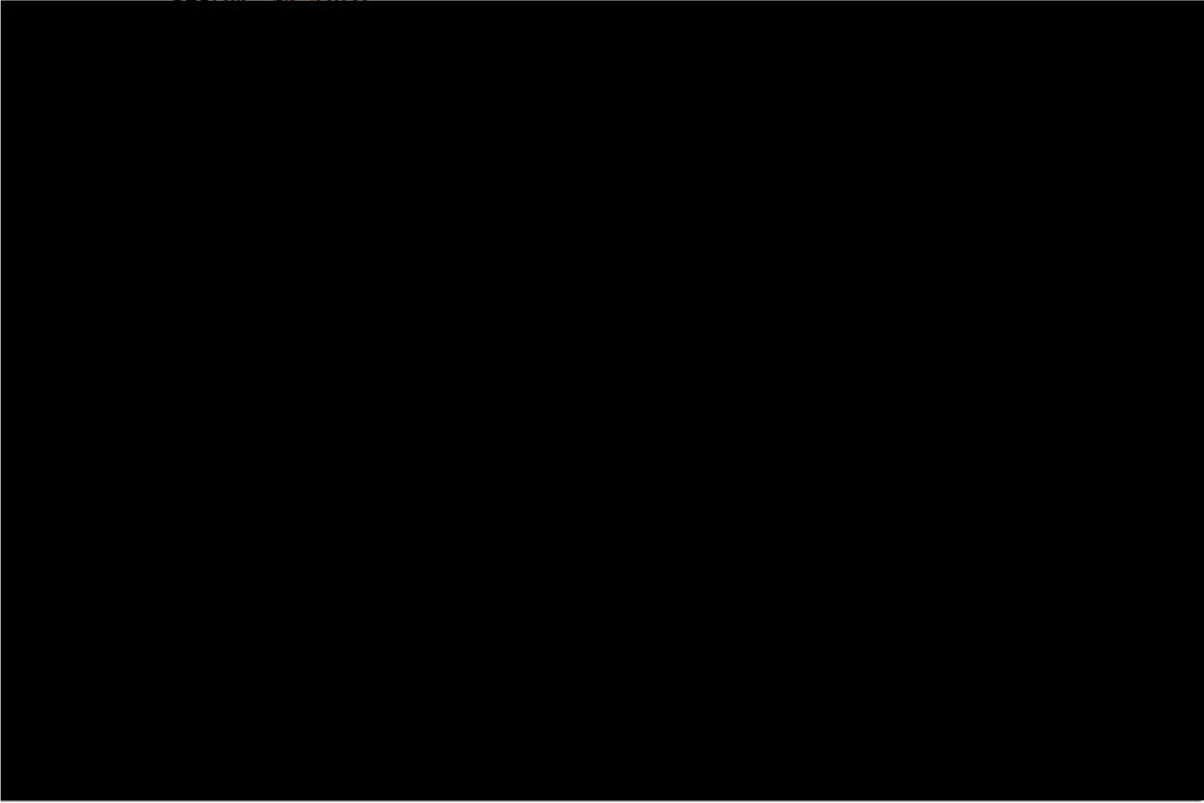
Form A Attachment

... exercise good faith efforts to resolve customer inquiries, handle product returns, and manage billing matters; and 4) Maintain oversight of plaintiff's stores and its financial performance. The plaintiff was recruited on behalf of the defendant via a third-party company called Optimize Digital. The plaintiff was told the requirements for the contract would require \$30,000 for the consultation fees plus an additional \$15,000 for inventory costs (\$7,500 for each Amazon store). Plaintiff also agreed to as stated in the contract to thereafter, beginning in the month following the month in which the initial consultant fee is paid, to pay defendant one hundred ninety nine (\$199.00) USD per month (the "Maintenance Fee"), or thirty five percent (35%) of the Net Profit from the plaintiff's stores per month (the "Ongoing Commission"), whichever is greater plus an additional ninety nine dollars (\$99) software fee paid directly to the software provider. On November 16, 2021 plaintiff sent a Simmons Bank wire transfer in the amount of \$30,298 to Passive Scaling Inc (Chase Bank in Kearny, NJ) and opened two bank accounts for the Amazon stores and deposited \$7,500 into each account for inventory. The plaintiff was told he would make his initial investment cost of \$30,298 back in 18 months or be given a refund as stated in the contract: "Client (Plaintiff) has the option ("Refund Option") to request a refund. Additionally, following an eighteen (18) month period if the Client has not made back their initial stores costs, Client has the option to request a refund within a thirty (30) day period following their 18th month of working days." On May 24, 2023 plaintiff sent written letter to notify the defendant of his intent to exercise the refund option because the initial investment was not made back and the stores are not performing as promised. A certified letter was mailed to the defendant at 78 John Miller Way in Kearny, NJ but it was returned as no address found. Another certified letter was mailed to [REDACTED] in North Bergen, NJ and as stated in the contract an email was mailed to info@passivescaling.com. A third address has been identified for defendant as 2011 8th, Street Suite 102 in North Bergen, NJ. It appears that the defendant has changed address several times. The plaintiff spoke with the defendant via phone on June 2, 2023 and informed the defendant's representative Jerdonna P., that a refund was requested and was told he would be contacted later. Since then, the defendant has avoided scheduled meetings and calls with the plaintiff and has not returned calls or emails.



11/16	Wire Transfer In/Out Fee	25.00-
11/16	Wire Transfer Debit	30,298.00-
	Passive Scaling Inc	


Chase Bank
78 John Miller Way, Suite 227
Kearny, NJ 07032



11/15/21

1993

Simmons Bank

WIRE TRANSFER REQUEST

The undersigned has requested a wire transfer to be made as follows:

NAME: Kenny Craig

ACCOUNT NUMBER:

AMOUNT:

30,298.00

FEE:

25.00

RECEIVING BANK INFORMATION

RECEIVING BANK ABA:

RECEIVING BANK NAME:

Chase Bank

SENDER REFERENCE:

REFERENCE # FOR BENEFICIARY:

BENEFICIARY INFORMATION

NAME:

Passive Scaling Inc

BENEFICIARY ACCOUNT NUMBER:

0626

ADDITIONAL INFORMATION

ORIGINATOR TO BENEFICIARY INFO: TRANSFER FUNDS FOR BUSINESS PAYMENT

BENEFICIARY BANK INFORMATION:

BANK-TO-BANK INFORMATION:

KS
Customer Signature

11/15/21
Date

WIRE PURPOSE: Transfer funds
for business pymt

11/15/21
Simmons Bank

WIRE TRANSFER APPROVAL

The undersigned has requested a wire transfer to be made as follows:

NAME: Kenny Craig
[REDACTED]

ACCOUNT NUMBER: [REDACTED] 7953
AMOUNT: 30,298.00
FEE: 25.00

BANK USE ONLY***TWO ASSOCIATE SIGNATURES REQUIRED***

By signing below, we attest that all wire procedures have been followed and customer identification procedures, including call backs (if the customer is not present) have been properly executed.

Channel Received: eMail/Fax/Phone/In Person/Other TNDL [REDACTED] 2720

Call back made to: _____ Time: _____

System verified phone # used: _____

Requestor	<u>Mary Beth Goff</u>	<u>Mary Beth Goff</u>	<u>AFOM</u>	<u>11-15-2021</u>
	Print	Signature	Title/Level	Date
Approver	<u>Bentley Deloach</u>	<u>Bentley Deloach</u>	<u>Community President</u>	<u>11/15/2021</u>
	Print	Signature	Title/Level	Date

JANUARY 18, 2023 @
6:03:58 PM (AST)



Asante Monadjemi (asante@optimizedigital.com) reassigned user signatures in the
proposal to Amanda

Kenny Craig [REDACTED] (kenny@optimizedigital.com) completed signing of the proposal at November 12,
2021 @ 6:59:41 PM (AST)
IP address: 174.202.192.247
User-agent: Mozilla/5.0 (iPhone; CPU iPhone OS 14_8_1 like Mac OS X)
AppleWebKit/605.115 (KHTML, like Gecko) Version/14.1.2 Mobile/15E148 Safari/604.1

PX23

001549

NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES

CERTIFICATE OF INC, (PROFIT)

PASSIVE SCALING INC
0450602727

The above-named DOMESTIC PROFIT CORPORATION was duly filed in accordance with New Jersey State Law on 02/08/2021 and was assigned identification number 0450602727. Following are the articles that constitute its original certificate.

1. **Name:**
PASSIVE SCALING INC
2. **Registered Agent:**
BRATISLAV ROZENFELD
3. **Registered Office:**
[REDACTED]
EDGEWATER, NEW JERSEY 07020
4. **Business Purpose:**
SOFTWARE
5. **Duration:**
PERPETUAL
6. **Stock:**
200
7. **Effective Date of this filing is:**
02/08/2021
8. **First Board of Directors:**
BRATISLAV ROZENFELD
[REDACTED]
EDGEWATER, NEW JERSEY 07020
9. **Incorporators:**
BRATISLAV ROZENFELD
[REDACTED]
EDGEWATER, NEW JERSEY 07020
10. **Main Business Address:**
[REDACTED]
EDGEWATER, NEW JERSEY 07020

Signatures:

BRATISLAV ROZENFELD
INCORPORATOR

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
FILING CERTIFICATE (CERTIFIED COPY)

Corporation Name: PASSIVE SCALING INC
Business Id: [REDACTED]
Certificate Number: [REDACTED]

I, THE TREASURER OF THE STATE OF NEW JERSEY, DO HEREBY CERTIFY, THAT THE ABOVE NAMED BUSINESS DID FILE AND RECORD IN THIS DEPARTMENT AN ORIGINAL CERTIFICATE ON February 8, 2021 AND THAT THE ATTACHED IS A TRUE COPY OF THIS DOCUMENT AS THE SAME IS TAKEN FROM AND COMPARED WITH THE ORIGINAL(S) FILED IN THIS OFFICE AND NOW REMAINING ON FILE AND OF RECORD.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY
HAND AND AFFIXED MY OFFICIAL SEAL AT
TRENTON, THIS
June 30, 2023 A.D.



Elizabeth Maher Muoio
ELIZABETH MAHER MUOIO
STATE TREASURER

VERIFY THIS CERTIFICATE ONLINE AT

https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp

SALDUTTI LAW GROUP

Thomas B. O'Connell, Esquire - 031102008
Robert L. Saldutti, Esquire – 006871992
1040 N. Kings Highway, Suite 100
Cherry Hill, NJ 08034
(856) 779-0300
Attorneys for Plaintiff/47881

MATHEW GENES,	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	LAW DIVISION
	CAMDEN COUNTY
v.	DOCKET NO. L-465-24
PASSIVE SCALING INC	Civil Action
Defendant.	REQUEST TO ENTER DEFAULT AND CERTIFICATION

To the Clerk of the above-named Court:

Please enter upon the docket the default of the Defendant, Passive Scaling Inc in the above-entitled action for failure to plead or otherwise defend as provided by the rules of civil practice or by an Order of this Court, or because the Answer of defendant has been stricken.

SALDUTTI LAW GROUP

/s/ **Thomas B. O'Connell**

THOMAS B. O'CONNELL, ESQ.
Attorney for Plaintiff

CERTIFICATION

1. I am Thomas B. O'Connell, Esquire, from the law firm of Saldutti Law Group, attorney for the plaintiff in the above-entitled action.

2. The Summons and a copy of the Complaint in this action were served upon defendant, Passive Scaling Inc on March 23, 2024 as appears from the Affidavit of Process Server attached hereto.

3. The time within which Defendant may answer or otherwise move as to said Complaint has expired, has not been extended or enlarged, and no Defendant named herein has answered or otherwise moved.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

SALDUTTI LAW GROUP

/s/ Thomas B. O'Connell

THOMAS B. O'CONNELL, ESQ.

Dated: April 29, 2024

MATHEW GENES

PI 2000

Superior Court of New Jersey, Camden
County Law Division

PASSIVE SCALING INC vs.

Defendant

Docket Number L-465-24

Person to be served (Name & Address):

PASSIVE SCALING INC

c/o Bratislav Rozenfeld, Registered Agent, [REDACTED]
Edgewater, NJ [REDACTED]Attorney: Robert Saldutti, Esq., Saldutti Law Group, 1040 N Kings Hwy Ste 100
Cherry Hill, NJ 08034

AFFIDAVIT OF SERVICE

(For Use by Private Service)



74772

Cost of Service pursuant to R. 4:4-3 (c)
\$ _____

Papers Served: NJ Summons, Complaint, Track Assignment Notice, and Civil Case Information Statement, Exhibits

Service Data:

Served Successfully ☒ Not Served _____ Date: Mar 23, 2024 Time: 5:00 PM
Attempts: 5☐ Delivered a copy to him / her personally

Name of Person Served and relationship / title:

☐ Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)

Samantha,

☒ Left a copy with a person authorized to accept service, e.g., managing agent, registered agent, etc.
(Indicate name & official title at right)

Note: Left at this address after numerous attempts to woman who identified herself as Samantha because this is the registered agent address of this entity

Description of Person Accepting Service:

Sex: Female Age: 35 Height: 5' 4" - 5' 8" Weight: 100-130 Lbs. Skin/Race: White Hair Color: Dk. Brown

Unserved:

- () Defendant is unknown at the address furnished by the attorney
- () All reasonable inquires suggest defendant moved to an undetermined address
- () No such street in municipality
- () No response on:
- () (Military Time)
- () Other:

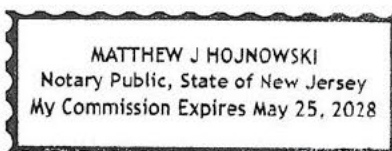
Attempt Listing: Date 3/4/2024, 20:31:00 Night

Date 3/9/2024, 10:30:00 Morning

Date 3/11/2024, 13:35:00 Afternoon

Date 3/12/2024, 21:15:00 Night

Date 03/23/2024, 17:00:00 Afternoon

Subscribed and Sworn to me this
April 29, 2024

Notary Signature

Name of Notary / Commission expiration

I, Manny Bayo, was at the time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct._____
Date, Apr 29, 2024

Process Server Signature

LawServe LLC, 123 South 22nd Street, Philadelphia, PA 19103

SALDUTTI LAW GROUP

Robert L. Saldutti, Esquire – 006871992
Thomas B. O’Connell, Esquire - 031102008
1040 N. Kings Highway, Suite 100
Cherry Hill, NJ 08034
(856) 779-0300
Attorneys for Plaintiff/47881

MATHEW GENES,

Plaintiff,

v.

PASSIVE SCALING INC

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
CAMDEN COUNTY

DOCKET NO. L-465-24

Civil Action

SUMMONS

From The State of New Jersey

To The Defendant(s) Named Above: PASSIVE SCALING INC

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deputyclerklawref.pdf). If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, PO Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deputyclerklawref.pdf.

Dated: 02/14/2024

Michelle M. Smith

Michelle M. Smith, Clerk of the Superior Court

Name of Defendant to be served:

PASSIVE SCALING INC
c/o Bratislav Rozenfeld, Registered Agent
[REDACTED]
Edgewater, NJ [REDACTED]
1224

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(856) 779-0300
Attorneys for Plaintiff/47881

MATHEW GENES, Plaintiff, v. PASSIVE SCALING INC Defendant.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION CAMDEN COUNTY DOCKET NO. L-465-24 Civil Action CERTIFICATION OF COUNSEL AS TO LAST KNOWN MAILING ADDRESS AND NON-MILITARY SERVICE
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I, Thomas B. O'Connell, Esquire, hereby certify as follows:

1. I am an attorney admitted to practice law in the state of New Jersey and am fully familiar with the facts of this case.
2. Pursuant to New Jersey Court Rule 6:6-3(a), we believe based upon our investigation that the last known address of the Defendant is correct. No regular mail has been returned and/or our equifax search as well as other skip tracing techniques indicate that this is a viable address.
3. The Defendant, Passive Scaling Inc, is a business entity and therefore cannot be in the military service.

I certify that the above statements made by me are true and correct to the best of my knowledge. I am aware that if any of the foregoing statements made by me are incorrect, I am subject to punishment.

SALDUTTI LAW GROUP

/s/ Thomas B. O'Connell

Dated: April 29, 2024

THOMAS B. O'CONNELL, ESQ.

SALDUTTI LAW GROUP

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Attorneys for Plaintiff/47881

MATHEW GENES,	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	LAW DIVISION
	CAMDEN COUNTY
v.	DOCKET NO. L-465-24
PASSIVE SCALING INC	Civil Action
Defendant.	PROOF OF MAILING

The original of the within Request to Enter Default has been filed with the Clerk of the Superior Court in the County of Camden, Law Division, 101 South Fifth Street Camden, NJ 08103.

SALDUTTI LAW GROUP

/s/ **Thomas B. O'Connell**

THOMAS B. O'CONNELL, ESQ.

PROOF OF MAILING: On April 29, 2024 I the undersigned mailed to defendant, Passive Scaling Inc, individually, c/o Bratislav Rozenfeld, Registered a\Agent, [REDACTED] Edgewater, NJ [REDACTED] by regular mail, the following:

Request to Enter Default; Certification of Non-Military Service; Affidavit of Service; and Proof of Mailing

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/s/Christine Burgos

Christine Burgos

Dated: April 29, 2024